

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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JOSE NUESI RODRIGUEZ,

Plaintiff,

- against -

INTERNAL REVENUE SERVICE,

Defendant.  
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DEARIE, District Judge.

Plaintiff Jose Rodriguez filed a Freedom of Information Act request with the IRS in October 2008, seeking records under 5 U.S.C. § 552(a). Dissatisfied with the IRS's response, plaintiff appealed to the agency and then filed a complaint in this Court. The parties cross-move for summary judgment. In an August 31, 2012 Report and Recommendation, Magistrate Judge Victor Pohorelsky recommended granting summary judgment for defendant with respect to all of the issues except those requiring in camera review. Magistrate Judge Pohorelsky also recommended withholding a decision on plaintiff's cross-motion for summary judgment pending in camera review. Having reviewed Magistrate Judge Pohorelsky's careful analysis and plaintiff's objections, the Court adopts the Report and Recommendation in full. Defendant is directed to produce all of the withheld documents to the Court for in camera review, consistent with Magistrate Judge Pohorelsky's recommendation.

SO ORDERED.

Dated: Brooklyn, New York  
September 24, 2012

/s/ Judge Raymond J. Dearie

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RAYMOND J. DEARIE  
United States District Judge